

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

To:

TBK-Patent
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22. Sep. 2004

TBK - PATENT

NOTIFICATION OF TRANSMITTAL OF
INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Rule 71.1)

Date of mailing
(day/month/year)

20-09-2004

Applicant's or agent's file reference

WO 34226

IMPORTANT NOTIFICATION

International application No.

PCT/IB2002/002237

International filing date (day/month/year)

18-06-2002

Priority date (day/month/year)

Applicant

Nokia Corporation
et al

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary report on patentability and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the *PCT Applicant's Guide*.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed invention is patentable or not" (see Also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference WO 34226	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/IB 2002/002237	International filing date (<i>day/month/year</i>) 18-06-2002	Priority date (<i>day/month/year</i>) ---
International Patent Classification (IPC) or national classification and IPC H04M 15/00, H04M 17/00, G06F 17/60, G06F 19/00, H04Q 7/38		
Applicant NOKIA CORPORATION ET AL		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
 - a. ☐ (*sent to the applicant and to the International Bureau*) a total of _____ sheets, as follows:
 - ☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - b. ☐ (*sent to the International Bureau only*) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

Date of submission of the demand 15-01-2004	Date of completion of this report 16-09-2004
Name and mailing address of the IPEA/SE Patent- och registreringsverket Box 5055 S-102 42 STOCKHOLM Facsimile No. +46 8 667 72 88	Authorized officer Behroz Moradi /LR Telephone No. +46 8 782 25 00

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/IB 2002/002237

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of:

- ☐ international search (under Rules 12.3 and 23.1(b))
☐ publication of the international application (under Rule 12.4)
☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the **elements** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

☒ the international application as originally filed/furnished

☐ the description:

pages _____ as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ the claims:

pages _____ as originally filed/furnished

pages* _____ as amended (together with any statement) under Article 19

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ the drawings:

pages _____ as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to the sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to the sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/IB 2002/002237

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1</u>	YES
	Claims	<u>2-8</u>	NO
Inventive step (IS)	Claims		YES
	Claims	<u>1-8</u>	NO
Industrial applicability (IA)	Claims	<u>1-8</u>	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Documents cited in International Search Report:

D1: US5465206 A
D2: US5826241 A
D3: US2002065785 A
D4 GB2333878 A
D5: US2002087461 A (Published 4 July 2002)
D6: US2002084727 A (Published 4 July 2002)

D1 describes an electronic bill payment system wherein participating consumers (= a terminal subscribed to a communication network) pay bills to participating billers through a payment network operating (= interacting) according to a few rolls (= steps). The participating consumers receive bills from participating billers which indicate an amount and a unique biller identification number. To authorise a remittance, a consumer (12) transmits (2) to its participating bank (16) a bill pay order (122) indicating a payment date, a payment amount, the consumers account number with the biller (14), a source of funds (232) (= a source of deposit) and the billers (14) ID number, either directly or by reference to static data containing the data elements. The system operates using an agreed set of protocols (= DIAMETER protocol) which include data exchange and message protocols as well as operating regulations which bind and direct the activities of the participants, (column 10, line 35 - column 11, line 58; abstract; figs 1-12).

D2 describes a payment system for enabling a first Internet user to make a payment to a second Internet user, typically for the purchase of an information product deliverable over

.../...

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: BOX V

the Internet. The payment system provides cardholder accounts for the first and second Internet users. When the second user sends the information product to the first user over the Internet, the second user also makes a request over the Internet to a front end portion of the payment system requesting payment from the first user. The front end portion of the payment system queries the first user over the Internet whether to proceed with payment to the second user. If the first user replies affirmatively, a charge to the first user is processed off the Internet; however if the first user replies negatively, the first user is not charged for the information product. The payment system informs the second user regarding whether the first user's decision and pays the second user upon collection of the charge from the first user. Security is maintained by isolating financial and credit information of users' cardholder accounts from the front end portion of the payment system and by isolating the account identifying information from the associated e-mail address, (column 2 lines 5-27; abstract; figs 1-13).

D3 describes a mobile communication system for Internet based video and audio communication, executes authentication and accounting processes for packet communication of node device according to fee information. The authentication authorization accounting home (AAAH) server (1012) has a recording unit which records communication fee information that is to be changed to a mobile node device (1010). A processor carries out requested authentication and accounting processes for the packet communication of the mobile node device, according to the fee information. This authentication and accounting system adopts a DIAMETER protocol (see the Internet draft "draft-calhoun-diameter-mobileip-09.txt", July, 2000) as the AAA (Authentication, Authorization and Accounting) protocol and uses an AAA server having AAA functions, to carry out processing for authentication and accounting with respect to mobile nodes according to the IETF Mobile IP protocol (RFC-2002), (page 2 - page 5, abstract; figs 11-18).

D1 or D2 describe the most relevant known technique. D1 or D2 differs from the invention according to claim 1 by the fact that D1 or D2 does not describe explicitly that the method can be used for depositing a credit on an account associated to a terminal in a communication network. The problem to be solved by a person skilled in the art is depositing a credit on an account associated to a terminal in a communication network.

.../...

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: BOX V

The solution proposed in claim 1 of the present application cannot be considered as involving an inventive step (Article 33(3) PCT) for the following reasons.

The feature, depositing a credit on an amount, is merely one of several straightforward possibilities from which the skilled person would select, in accordance with circumstances, without the exercise of inventive skill, in order to solve the problem posed.

However, these features have already been employed for the same purpose in a similar method. It would be obvious to the person skilled in the art, namely when the same result is to be achieved, to apply these features with corresponding effect to a method according to D1 or D2, thereby arriving at a method according to claim 1. The subject-matter of claim 1 does therefore not involve an inventive step (Article 33(3) PCT).

Dependent claims 2-8 do not appear to contain any additional features which, in combination with the features of any claim to which they refer, involve an inventive step, since said features fall within the scope of the customary practice followed by persons skilled in the art. A person skilled in the art would try to combine the principle parts of D1 or D2 with the closest prior art D3 or D4 to obtain the features of claims 2-8 and have a reasonable expectation of success. The solution proposed in claims 2-8 of the present application cannot be considered as involving an inventive step. Consequently, the invention according to the claims 2-8 lacks an inventive step.

Interaction between a terminal (consumer or biller) and a network entity such as an application server is well known for example by D1 in claim 13.

Therefore, the invention according to claims 1-8 lacks an inventive step.